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Agenda item 74 (a)

Promotion and protection of human rights: implementation of human rights instruments

Report of the Third Committee*

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I. Introduction

1. At its 3rd plenary meeting, on 21 September 2018, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-third session, under the item entitled "Promotion and protection of human rights", the sub-item entitled "Implementation of human rights instruments" and to allocate it to the Third Committee.

2. The Third Committee considered the sub-item jointly with sub item 74 (b), entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", sub-item 74 (c), entitled "Human rights situations and reports of special rapporteurs and representatives", and sub-item 74 (d), entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action", and held a general discussion on item 74, "Promotion and protection of human rights", as a whole at its 17th to 37th meetings, from 15 to 19, from 22 to 26 and on 29 October 2018. The Committee considered a proposal and took action on the sub-item at its 52nd and 53rd meetings, on 19 November. An account of the Committee's discussion is contained in the relevant summary records.[1]

3. For the documents before the Committee under this sub-item, see document A/73/589.

* The report of the Committee on this item is being issued in five parts, under the symbols A/73/589, A/73/589/Add.1, A/73/589/Add.2, A/73/589/Add.3 and A/73/589/Add.4.

[1] A/C.3/73/SR.17, A/C.3/73/SR.18, A/C.3/73/SR.19, A/C.3/73/SR.20, A/C.3/73/SR.21, A/C.3/73/SR.22, A/C.3/73/SR.23, A/C.3/73/SR.24, A/C.3/73/SR.25, A/C.3/73/SR.26, A/C.3/73/SR.27, A/C.3/73/SR.28, A/C.3/73/SR.29, A/C.3/73/SR.30, A/C.3/73/SR.31, A/C.3/73/SR.32, A/C.3/73/SR.33, A/C.3/73/SR.34, A/C.3/73/SR.35, A/C.3/73/SR.36, A/C.3/73/SR.37, A/C.3/73/SR.52 and A/C.3/73/SR.53.

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4. At the 18th meeting, on 15 October, the Chair of the Committee against Torture made an introductory statement and responded to questions posed and comments made by the representatives of the European Union, South Africa, the Russian Federation, the United States of America, Liechtenstein, Denmark, Iraq, Morocco and France.

5. At the same meeting, the Chair of the Subcommittee on Prevention of Torture and Other Cruel Inhuman or Degrading Treatment or Punishment made an introductory statement and responded to questions posed and comments made by the representatives of Spain, Czechia, the European Union and Denmark.

6. Also at the same meeting, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment made an introductory statement and responded to questions posed and comments made by the representatives of Brazil, the United Kingdom of Great Britain and Northern Ireland, Cuba, the Russian Federation, Switzerland, South Africa, Czechia, Ukraine, the European Union, the United States, Denmark, Norway and the Syrian Arab Republic, as well as by the observer for the State of Palestine.

7. At the 19th meeting, on 16 October, the Director of the New York Office of the Office of the High Commissioner for Human Rights made an introductory statement and responded to questions posed and comments made by the representatives of Azerbaijan, the Syrian Arab Republic, the Democratic People's Republic of Korea and the Islamic Republic of Iran.

8. At the same meeting, the Chair of the Human Rights Committee made an introductory statement and responded to questions posed and comments made by the representatives of Qatar, the United States, the European Union, Czechia, the United Kingdom, the Russian Federation and the Sudan.

9. Also at the same meeting, the Chair of the Committee on Economic, Social and Cultural Rights made an introductory statement and responded to questions posed and comments made by the representatives of El Salvador, Uruguay, the Republic of Korea and the European Union.

10. At the 23rd meeting, on 18 October, the Chair of the Committee on Enforced Disappearances made an introductory statement and responded to questions posed and comments made by the representatives of Mexico, Argentina, Japan, the European Union and Iraq.

11. At the same meeting, the Chair of the Working Group on Enforced or Involuntary Disappearances made an introductory statement and responded to questions posed and comments made by the representatives of the United States, the European Union, the Russian Federation, Ukraine, the Syrian Arab Republic, China and the Islamic Republic of Iran.

12. At the 24th meeting, on 18 October, the Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families made an introductory statement and responded to questions posed and comments made by the representatives of Indonesia, the European Union, Morocco, Nigeria, Libya, El Salvador and Saudi Arabia.

13. At the 27th meeting, on 22 October, the Chair of the Committee on the Rights of Persons with Disabilities made a statement and responded to questions posed and comments made by the representatives of Japan, Switzerland, the European Union, Australia, the United Kingdom, Mexico and the Russian Federation.

II. Consideration of draft resolution A/C.3/73/L.38

14. At its 52nd meeting, on 19 November, the Committee had before it a draft resolution entitled "Human rights treaty body system" (A/C.3/73/L.38), submitted by Australia, Austria, Belgium, Canada, Costa Rica, Cyprus, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, the Netherlands, Norway, Slovenia, Sweden and Switzerland.

15. At the same meeting, the representative of Iceland, on behalf of the Nordic countries, made a statement and orally revised the draft resolution.[2]

16. Also at the same meeting, the Secretary of the Committee informed delegations that the oral revisions to the draft resolution might give rise to programme budget implications, after which the Committee deferred action on the draft resolution, as orally revised, for the next meeting.

17. At its 53rd meeting, on 19 November, the Secretary of the Committee read out a statement of the programme budget implications of the draft resolution, as orally revised.

18. At the same meeting, a statement was made by the representative of the United Kingdom.

19. Also at the same meeting, the Committee adopted draft resolution A/C.3/73/L.38, as orally revised (see para. 21).

20. After the adoption of the draft resolution, statements were made by the representatives of Liechtenstein and El Salvador.

[2] See A/C.3/73/SR.52.

III. Recommendation of the Third Committee

21. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Human rights treaty body system

The General Assembly,

Recalling the International Covenant on Civil and Political Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[1] the Convention on the Rights of Persons with Disabilities,[2] the International Convention for the Protection of All Persons from Enforced Disappearance,[3] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child,[6] the International Convention on the Elimination of All Forms of Racial Discrimination,[7] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[8] and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[9]

Recalling also Economic and Social Council resolution 1985/17 of 28 May 1985,

Recalling further its resolution 68/268 of 9 April 2014 on strengthening and enhancing the effective functioning of the human rights treaty body system,

Recalling its resolution 71/185 of 19 December 2016 on the human rights treaty body system,

Reaffirming that the full and effective implementation of international human rights instruments by States parties is of major importance to the efforts of the United Nations to promote universal respect for and observance of human rights and fundamental freedoms, and that the effective functioning of the human rights treaty body system is indispensable for the full and effective implementation of such instruments,

Recognizing the important, valuable and unique role and contribution of each of the human rights treaty bodies in the promotion and protection of human rights and fundamental freedoms, including through their examination of the progress made by States parties to the respective human rights treaties in fulfilling their relevant obligations and their provision of recommendations to States parties on the implementation of such treaties,

Emphasizing the importance of multilingualism in the activities of the United Nations, including those linked to the promotion and protection of human rights, and reaffirming the paramount importance of the equality of the six official languages of the United Nations for the effective functioning of the human rights treaty bodies,

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[1] See resolution 2200 A (XXI), annex.
[2] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[3] Ibid., vol. 2716, No. 48088.
[4] Ibid., vol. 2220, No. 39481.
[5] Ibid., vol. 1249, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] Ibid., vol. 660, No. 9464.
[8] Ibid., vol. 1465, No. 24841.
[9] Ibid., vol. 2375, No. 24841.

1. *Takes note* of the report of the Secretary-General on the status of the human rights treaty body system;[10]

2. *Welcomes* the annual reports of the human rights treaty bodies submitted to the General Assembly at its seventy-second and seventy-third sessions and to the Economic and Social Council at its 2017 and 2018 sessions;

3. *Invites* the Chairs of the human rights treaty bodies to address and engage in an interactive dialogue with the General Assembly at its seventy-fourth and seventy-fifth sessions under the item relevant to the work of the treaty body;

4. *Encourages* all stakeholders to continue their efforts for the full implementation of resolution 68/268;

5. *Reaffirms* paragraphs 26 to 28 of its resolution 68/268, in which it set out how the allocation of meeting time to the treaty bodies would be identified and requested the Secretary-General to provide the corresponding financial and human resources, decided that the meeting time allocated would be reviewed biennially and amended on that basis at the request of the Secretary-General in line with established budgetary procedures, and requested the Secretary-General accordingly to take into account the meeting time needed by the human rights treaty body system, in his future biennial programme budget;

6. *Recalls* paragraph 22 of its resolution 68/268, in which it decided, in principle, with the aim of enhancing the accessibility and visibility of the human rights treaty bodies, to webcast, as soon as feasible, the public meetings of the treaty bodies, and decides in this regard to provide, as of 2020, in all the official languages used in the respective committees, live webcasts and video archives of relevant meetings of the treaty bodies that are available, accessible, searchable and secure, including from cyberattacks;

7. *Expresses appreciation* for the organization of discussions on matters related to the implementation of each human rights treaty at meetings of the States parties thereto, and requests the Secretary-General to continue to support such practices;

8. *Also expresses appreciation* for the opportunity to interact with the Chairs of the treaty bodies during their annual meetings, and requests the Secretary-General to continue to support such opportunities;

9. *Further expresses appreciation* for the advisory services, capacity-building and technical assistance provided by the Secretary-General to support States parties in building their capacity to implement their treaty obligations, and requests the Secretary-General to continue his efforts in this regard;

10. *Reiterates its request*, in paragraph 40 of its resolution 68/268, that the Secretary-General submit to it a comprehensive report on the status of the human rights treaty body system, and, in view of the decision, in paragraph 41 of that resolution, to consider the state of the human rights treaty body system no later than 2020, requests the Secretary-General to submit that report in January 2020, in advance of the review of the human rights treaty body system.

[10] A/73/309.